G. R. S. IX-5]

*Previous references.*

Leg. 19-14 - nil
" -19-14 under
P. 22-15 - 1A

*Later references.*

191 7:18

( Leg )

File No. 50-17

Serial Nos. nil

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.* nil

**Part B for** July 18

SUBJECT.

Application from M. Chenpish Chetty at the Legislative meeting on 28th August re. amendment of the Intestate Succession

11/7/18

W D 88—GPB—50,000—24-7-16

G. R. S. 11] 1917.

GENERAL AND REVENUE SECRETARIAT.

( )

NOTES.

File No. 50-1

FILE HEADING.

Interpellation of Mr M. Changiah Chetty at the Legis. Cl. Meeting on 28/6/18 re amendment of the Infant-Marriage Act

From

| No. | Dated | Received |
|---|---|---|

| Diary No. | Enclos. | Spare Copies. | Serial No. |
|---|---|---|---|

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

J Sec 16817

**IMMEDIATE.**

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

*Bangalore, Dated* 6th June *1918*

**OFFICE MEMORANDUM.**

Under Rule 4 of the Office Memorandum No. J. 4847-58—Legis. 47-15-2, dated the 13th June 1916, the accompanying extracts from questions (No. 11) received from Mr. M. Chengiah Chetty B. A. non-official Member of the Mysore Legislative Council for being answered at the Meeting of the Council on the 28th June 1918, is forwarded to Branch III (Legis) for *immediate* action under Rule 5 of the Office Memo.

2. Where no information is available in the Secretariat, the Head of the Department concerned may be communicated with and the information obtained.

3. Draft replies with connected files, if any, should be sent to this office before the 17th June 1918.

By Order,

Chief
*For Secretary to the Government,*
*General Department.*

G.R.S. 168-17

G.R.S. III–3]

## ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subd. with the previous files on the subject

The Regulation is only intended prohibit ~~only~~ marriage of "infant-girl" ie a girl of less than 8 years and also of the marriage of a man who has completed 50 years with a girl who has not completed 14 years of age. Draft reply is also put up

13/6/18 HH.

WJ 13/6/18

Reply as amended may be approved

1st Secretary 14/6/18

WJ 14/6/18

16/6.

WJ 17/6/18

4577
16/6

B.

17/6

*N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

Draft Replies.

(a) No.

(b) Yes.

(c) Government ~~are not~~ will be prepared to undertake legislation ~~unless~~ when there are clear indications that such a course is demanded by a ~~majority~~ large section of the people concerned.

16/6

13/6/25

COS

By Mr. M. Chengiah Chetty B.A.

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2.(a)Adverting to reply given to question (2) put at the meeting of the Legislative Council of 2nd October 1915, has the attention of Government been drawn to the fact that recently marriages of girls of 8 years with boys of 10 years have been taking place in some families of the higher classes and even the Koleyars in Kyoore ?(2)Are Government aware of the fact that the last Census, the number of Hindu and Jain widows between the ages of 8 and 13 was returned at 1663 ?(3)In the light of these facts will Government be pleased to consider the desirability or suitably amending the Regulation?

# MEETING OF THE MYSORE LEGISLATIVE COUNCIL.

*28th JUNE 1918.*

## INTERPELLATIONS.

*QUESTIONS.*

**(By Mr. M. Venkatakrishnaiya.)**

**1.** Will the Government be pleased to state—

(*a*) whether their attention has been drawn to the leader under the heading "Civil Service" No. II in the "Vokkaligara Patrika," dated 30th January 1918, and

(*b*) whether the sentiments expressed therein do not deserve to be examined and a press communique issued thereon?

**2.** (*a*) Will the Government be pleased to state the number of graduates in the State of the following communities—

(*a*) Vokkaligars,
(*b*) Lingayets,
(*c*) Mahomedans,
(*d*) Christians,
(*e*) Jains,
(*f*) Brahmins,
(*g*) Other important communities?

withdrawn

(*b*) How many graduates of each of the above communities are in Government service carrying a monthly salary of Rs. 100 and upwards?

**3.** Will the Government be pleased to state—

(*a*) whether they have received a copy of the proceedings of the meeting held in Doddanna's Hall, Bangalore, *re* "Communal Representation," and

(*b*) whether it is a fact that one of the prominent members there made a speech bordering on disrespect for supreme authority and, if so, what action the Government have been pleased to take regarding the matter?

*ANSWERS.*

**(By Mr. C. S. Balasundaram Iyer, B.A.)**

(*a*) & (*b*)—Government have perused the article in question and they do not think it necessary to issue press communiques to correct every such misrepresentation in the Public Press.

**(By Rajamantrapravina Dewan Bahadur Mr. J. S. Chakravarti, M.A., F.R.A.S.)**

(*a*) & (*b*)—Lists of graduates or Government employees classified according to castes or communities are not available and cannot be prepared without considerable labour and trouble. A list of all graduates in the Mysore State giving occupation and address in each case prepared in 1915 is available for reference by the member, from which information of the kind required by him can be extracted if necessary.

**(By Mr. C. S. Balasundaram Iyer, B.A.)**

(*a*) Government have perused the proceedings.

(*b*) They do not find in the reported speeches anything calling for special action.

*QUESTIONS.*

**(By Mr. B. Narasinga Rao.)**

**4.** Will the Government be pleased to state—

(*a*) the number of Sub-Registrars in the State, and how many of them are graduates and how many non-graduates,

(*b*) whether the rules issued in May 1904 for the recruitment of Sub-Registrars insist upon only graduates being entertained,

(*c*) Whether the said rules have been since modified and if so when,

(*d*) if the said rules have not been modified, what the reasons are for relaxing the same in favour of non-graduates, and

(*e*) will the Government be pleased to call for the gradation list of Sub-Registrars and direct its scrutiny and rectification, if necessary, in conformity with Standing Orders?

**5.** Will the Government be pleased to state—

(*a*) whether they are aware that in all the stations in the Kolar Gold Field Railway sign boards are put up at the entrance to the urinals marked "European gentlemen" and "Native men," and

(*b*) whether they will take steps to set matters right?

**6.** Will the Government be pleased to furnish information, on the following points—

withdrawn (*a*) how many Brahmin landholders are there in the State, and

(*b*) what is the total land revenue paid by them annually to Government?

**(By Mr. M. Chengiah Chetty, B.A.)**

**7.** (*a*) With reference to the reply given to question (1) put at the meeting of the Legislative Council held on the 21st February 1918, will Government be pleased to state if the appeal mentioned therein has been disposed of and if so, with what result?

(*b*) Will Government be pleased to state if the defaulter has undergone imprisonment for non-payment of excise dues and if so, for what period?

*ANSWERS.*

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

(*a*) Of the 50 permanent Sub-Registrars, only 28 are graduates.

(*b*) The order referred to does not lay down that none but a graduate shall be appointed as a Sub-Registrar. It merely states that only graduates should as a rule, be, if available, entertained as Probationary Sub-Registrars.

(*c*) No.

(*d*) As already stated, there is no prohibition against the entertainment of non-graduates.

(*e*) Unnecessary as appointments, promotions and gradations are ordered by Government after scrutiny of the departmental recommendations.

**(By Mr. P. Raghavendra Rao, B.A., B.L.)**

(*a*) Yes.

(*b*) The Agent, Madras and Southern Mahratta Railway Company who was addressed in the matter has since replied stating that necessary instructions have been issued to the Chief Engineer to remove the boards bearing the objectionable words.

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

(*a*) & (*b*) The required information is not available, and it cannot be compiled without much time and labour, the Government consider such a compilation unnecessary.

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

(*a*) The appeal was dismissed by the Revenue Commissioner on 1st June 1918.

(*b*) Yes, for twenty-four days.

*QUESTIONS.*

*ANSWERS.*

**8.** (*a*) Adverting to the reply given to question (2) put at the meeting of the Legislative Council held on the 2nd October 1915, has the attention of Government been drawn to the fact that recently marriages of girls of 8 years with boys of 10 years have been taking place in some families of the higher classes and even among the Holeyars in Mysore?

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

(*a*) No.

(*b*) Are Government aware of the fact that at the last Census, the number of Hindu and Jain widows between the ages of 8 and 15 was returned at 1,683?

(*b*) Yes.

(*c*) In the light of these facts will Government be pleased to consider the desirability of suitably amending the Regulation?

(*c*) Government will be prepared to undertake legislation when there are clear indications that such a course is demanded by a large section of the people concerned.

**(By Mr. M. Karnick Krishna Murti Rao.)**

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A. C.S.I.)**

**9.** (*a*) Has the attention of the Government been drawn to the correspondence in the "Karnataka" and the "Sampadabhudya," dated 10th April 1918 complaining about the conduct of Mr. S. N. Hanumanta Rao, acting Amildar, Seringapatam Taluk (since transferred to T.-Narsipur) in the matter of having collected subscriptions for the purpose of completing an unfinished "Mudi" to Sri Ranganathaswami and will Government be pleased to state whether the Amildar had taken the permission of the higher authorities to complete the unfinished "Mudi" which was under lock and seal in the Taluk Treasury?

(*a*) *to* (*g*)—The attention of Government has been drawn to the correspondence referred to and an enquiry is being made.

(*b*) What was the weight of the "Mudi" in its unfinished state and what were the other jewels, precious stones and gold which were in loose condition in the sealed box along with the "Mudi" and what is the present weight of the "Mudi" and of the lac used?

(*c*) Is there any record to show the number and the quality of the precious stones which had been set in the "Mudi" before it was taken charge of by the Amildar, and if so, will Government be pleased to make a statement as regards the number and quality of the gems?

(*d*) Will Government be pleased to state whether the Amildar, as a Revenue Officer, was justified in collecting subscriptions from the people in the taluk without obtaining the permission of the higher authorities?

*QUESTIONS.*

(*e*) Whether in collecting subscriptions for the purpose the Amildar had, in obedience to the Standing Orders, associated with him a Committee of respectable gentlemen and maintained accounts of all receipts and expenditure and whether he kept records of the Proceedings of such Committee, if it existed, and whether he kept the District Officers acquainted with the same ?

(*f*) If any accounts had been kept, will the Government be pleased to lay on the table a copy of the list of subscribers with their names and the nature and the amount of subscription ?

(*g*) If the answers of the Government to the latter parts of (*a*), (*d*) and (*e*) or to any of them are in the negative, what action do the Government propose to take regarding the conduct of the Amildar ?

*ANSWERS.*

**(By Mr. C. S. Balasundaram Iyer, B.A.)**

**10.** Will the Government be pleased to state—

(*a*) the number and nature of administrative defects noticed, and the public wants and requirements noted, by the Dewan Sahib and the grievances mentioned in the addresses presented in his several tours separately for each year from 1913-14 to 1916-17 during his inspection,

(*b*) the action taken by Government till now separately in each district especially in Bangalore District to remedy the administrative defects to supply popular wants and to redress the grievances specially mentioned in the addresses ?

(*a*) Copies of Notes of the Dewan's tour in the several districts of the State from 1913-14 to 1916-17 were placed at the disposal of the press from time to time as they were issued and will be supplied to the member, if required. They give the information sought for by him.

(*b*) Needful instructions have been given to the Departments concerned and the progress made in respect of each subject is being watched.

**(By Mr. C. Narasimhaiya, B.A., B.L.)**

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

**11.** Will Government be pleased to state the amount of Land Revenue payable to the Government by each of the following communities—

(1) Vokkaligars,
(2) Lingayets,
(3) Mahomedans,
(4) Brahmins,
(5) Vaisyas,
(6) Jains,
(7) Christians, and
(8) other communities ?

*Vide*—Answer to question No. 6.

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

**12.** Will Government be pleased to state—

(*a*) If the Sessions Judges were not inspecting the Sub-Division Magistrates' Courts annually,

(*a*) They were inspecting occasionally. In a Government Order of 1911, they were directed to inspect Courts of Subordinate Magistrates at least once a year.

*QUESTIONS.*

(*b*) why this wholesome practice was discontinued,

(*c*) how many Sub-Division Magistrates' Courts were inspected by the Deputy Commissioners during the year, and

(*d*) will the Government be pleased to place on the table the notes of such inspection ?

**13.** Will Government be pleased to state—

(*a*) what action has been taken by the Government with reference to my interpellation No. 10, in the Legislative Council Meeting held on 5th December 1916 and the subsequent information given by me to the Government,

(*b*) whether they have been exercising or propose to exercise any supervision over Pasupathiah and Veerasettihalli Inam villages endowed for the maintenance of a choultry in Shankararayalpet or Gundangal in Punganur Zamindari, and

(*c*) what the income of these villages is and how it is spent ?

**(By Mr. S. Seetharamaiya.)**

**14.** Will Government be pleased to state—

(*a*) whether the official notices of the Inspector-General of Police, dated 22nd May last and published in the *Mysore Gazette* of the 6th instant *re* Probationary Inspectors and Probationary Sub-Inspectors have been brought to the notice of the Government,

(*b*) the number of Police Inspectors and Sub-Inspectors in the State now and how many of them are of backward communities,

(*c*) whether it would be a good policy on the part of the Government to diminish the efficiency of the Police service by stipulating lower qualifications in the case of backward communities,

(*d*) whether the same object could not be easily gained without in the least affecting the efficiency of the service by giving preference to members of the backward communities when the applicants for the offices referred to happen to possess the same or similar University qualifications and training, and

*ANSWERS.*

(*b*) But in 1915, the Chief Court considered such inspection unnecessary. In British India Sessions Judges do not inspect such Courts.

(*c*) The information is given in the Criminal Justice Report for 1916-17.

(*d*) The notes are received in and reviewed by the Chief Court. It is undesirable to lay them on the table or publish them.

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

(*a*) Enquiry is being made. Some of the records have not yet been traced.

(*b*) No supervision is being exercised at present. The question is engaging attention.

(*c*) Information is not available.

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

(*a*) Yes.

(*b*) A statement showing the number of Police Inspectors and Sub-Inspectors in the service according to communities is placed on the table.

(*c*) The qualifications prescribed are considered sufficient.

(*d*) *&* (*e*)—The reply to (*c*) renders an answer to these questions unnecessary.

*QUESTIONS.*

(*e*) whether Government will be pleased to take timely steps to avoid the risk of inefficiency by directing the needful being done in the matter?

**(Mr. B. Venkatasamanna, B.A., B.L.)**

**15.** Will Government be pleased to state—

(*a*) the number of appeals pending in the Chief Court against sentences of death,

(*b*) when these appeals were filed, and

(*c*) the reasons for the delay in the disposal of the same?

**16.** Will Government be pleased to state—

(*a*) whether any practical steps are taken to control the prices of food stuffs, oil, fuel, etc., in the State,

(*b*) whether they would prohibit or control the export of food stuffs, and

(*c*) whether in view of the rise in prices, they would be pleased to give some allowance to low-paid officials throughout the State?

**17.** Will Government be pleased to state—

(*a*) the number of arrack and toddy shops opened during this year,

(*b*) the number that were closed during this year,

(*c*) their rent at that time, and

(*d*) the number that were recommended to be closed, but not closed and the reasons for not closing the same?

*ANSWERS.*

**(By Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.)**

(*a*) Eight.

(*b*) A statement showing the numbers of such appeal cases pending with the dates of their institution is placed on the table.

(*c*) The delay except in the case of the last two appeals which were filed only on 18th May 1918 is due to the difficulty in getting the records printed.

**(By Mr. C. S. Balasundaram Iyer, B.A.)**

(*a*) & (*b*)—Yes. Copies of the Orders and Notifications issued in the matter have been placed on the press table and will be supplied to the member if required by him.

(*c*) Government are considering the question of granting grain compensation allowances to low paid officials under the rules in force.

**(By Rajasevadhurina Mr. M. Kantaraj Urs., B.A., C.S.I.)**

(*a*) One arrack and three toddy shops.

(*b*) Thirty-four arrack and 346 toddy shops.

(*c*) The rent of 206 of these shops is Rs. 50,400. Information regarding the rent of the remaining 174 shops is not available and has been called for.

(*d*) Three arrack and 85 toddy shops. The officers conducting the sales, who were given discretion in the matter, have allowed these shops to remain in order that consumers may be prevented from resorting to illicit practices.

*Question No. 14.*

Statement showing the number of Police Inspectors and Sub-Inspectors in the Mysore Service, according to castes.

| Particulars | Permanent | | Temporary and acting in place of officers on other duty or on leave | Brahmins | Kshatriyas | Vaisyas | Lingayets | Vakkaligars | Other non-Brahmin Hindus | Christians | Mahomedans | Other communities, if any | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Sanctioned scale | Existing | | | | | | | | | | | |
| Inspectors ... | 120 | 114 | ... | 61 | 7 | ... | 5 | 4 | 11 | 12 | 14 | ... | 114 |
| Do (ag.) ... | ... | ... | 26 | 17 | ... | ... | 1 | ... | 2 | | 6 | ... | 26 |
| Sub-Inspectors ... | 42 | 41 | ... | 25 | ... | ... | 1 | ... | 5 | 2 | 7 | 1 | 41 |
| Do (ag.) ... | ... | ... | 21 | 11 | ... | ... | 1 | ... | 3 | 1 | 5 | ... | 21 |

*Question No. 15.*

Statement showing the number of appeals pending before the Chief Court of Mysore in which sentence of death has been passed.

| Serial No. | No. of the Appeal | Date of filing |
|---|---|---|
| 1 | Criminal Appeal No. 29 of 1917-18 ... ... ... | 25th September 1917 |
| 2 | Do 55 of „ ... ... ... | 24th November 1917 |
| 3 | Do 60 of „ ... ... ... | 10th December 1917 |
| 4 | Do 63 of „ ... ... ... | 2nd January 1918 |
| 5 | Do 74 of „ ... ... ... | 20th February 1918 |
| 6 | Do 84 of „ ... ... ... | 30th March 1918 |
| 7 | Do 98 of „ ... ... ... | 18th May 1918 |
| | and | |
| 8 | Do 99 of „ ... ... ... | |

W D 2158—GPB—100—27-6-18

# REGULATION NO. X OF 1894

(Passed on the fifth day of October 1894.)

***A Regulation to Prevent Infant Marriages in the Territories of Mysore.***

Preamble.

WHEREAS it is expedient to prevent Infant Marriages in the Territories of Mysore; His Highness the Maharaja is pleased to enact as follows

Short title.

1. This Regulation may be called "The Mysore Infant Marriages Prevention Regulation."

Extent and commencement.

(2) It shall extend to the whole of the Territories of Mysore; but it shall apply only to marriages among the Hindus. It shall come into operation at the expiration of six months from the date of its publication in the official Gazette.

Definition.

2. For the purposes of this Regulation, an "infant girl" means a girl who has not completed eight years of age.

Punishment for causing or abetting infant marriages.

3. Any person who causes the marriage of an infant girl, or who knowingly aids and abets within the meaning of the Indian Penal Code such a marriage, and any man who having completed eighteen years of age marries an infant girl, shall be punished with simple imprisonment for a term which may extend to six months, or with fine, or with both

Punishment of a man more than fifty years old marrying a girl under fourteen years of age.

4. Any man who having completed fifty years of age marries a girl who has not completed fourteen years of age, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Punishment for abetment of offence provided against in Section 4.

5. Any person who causes the marriage of a girl who has not completed fourteen years of age, with a man who has completed fifty years of age, and any person who knowingly aids and abets, within the meaning of the Indian Penal Code, such a marriage, shall be punished with simple imprisonment for a term which may extend to six months, or with fine, or with both.

Offences under the Regulation by whom triable.

6. No offence punishable under this Regulation shall be tried by any Court inferior to that of a Magistrate of the District.

Validity of marriages, notwithstanding the penalties provided by the Regulation.

7. No marriage which has actually taken place, shall be deemed to be invalid, on the ground of the penalties provided by this Regulation.

No prosecution to be instituted without the previous sanction of Government.

8. No prosecution under this Regulation shall be instituted without the previous written sanction of the Government accorded after such enquiry as the Government may deem fit to make.

K. SHESHADRI IYER,

*Dewan of Mysore.*